

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

STATES OF NEW YORK,  
CONNECTICUT, NEW JERSEY,  
RHODE ISLAND and WASHINGTON,  
and COMMONWEALTHS OF  
MASSACHUSETTS and VIRGINIA,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
JUSTICE; and JEFFERSON B.  
SESSIONS III, in his official capacity as  
Attorney General of the United States,

Defendants.

No. 18-cv-6471 (ER)

CITY OF NEW YORK

Plaintiff,

v.

JEFFERSON B. SESSIONS III, in his  
official capacity as Attorney General of  
the United States of America, and the  
UNITED STATES DEPARTMENT OF  
JUSTICE,

Defendants.

No. 18-cv-6474 (ER)

**DECLARATION OF KIM Y. ROYSTER**

I, Kim Y. Royster, declare as follows:

1. I am employed by the New York City Police Department ("NYPD") as an Assistant Chief in the Community Affairs Bureau. I have served in this position since February 21, 2017. Previously, I was the Commanding Officer of the Candidate Assessment Division.

Over my 31 years in the NYPD, I have served as the Commanding Officer for the Deputy Commissioner Public Information, the Commanding Officer of the Patrol Borough Manhattan South Investigations Unit, the Executive Officer of the 5<sup>th</sup> Precinct and in various patrol, investigative and administrative commands from the rank of police officer through deputy chief.

2. In my current position, I am responsible for fostering productive police/community partnerships to reduce fear of crime and public disorder.

3. The NYPD is the largest municipal police departments in the United States, with approximately 36,000 officers and 19,000 civilian employees. It is responsible for policing an 8.5-million-person city, by performing a wide variety of public safety, law enforcement, traffic management, counterterrorism, and emergency response roles. In the past 25 years, the NYPD has achieved spectacular declines in both violent and property crime, ensuring that New York City ("City") has the lowest overall rate of major crimes in the 25 largest cities in the country.

4. The numbers are striking. In 1993, there were 1,946 murders in New York City, an average of more than five murders each day. In 2017, there were only 290, a decrease of 85%. Rapes dropped almost 50% in the same period, from 2,818 in 1993 to 1,446 in 2017. Robberies went from 86,001 in 1993 to 13,950 in 2017. By every measure, New Yorkers today enjoy historically low crime rates.

5. Maintaining good police-community relations is a vital priority for the NYPD. Law enforcement is more effective in solving crime and keeping residents safe when everyone in the community is willing to report crimes to the police and cooperate with police investigations. We encourage the public to be the eyes and ears for law enforcement and my 31 years of experience have taught me that trust is crucial to ensuring that the public communicates what it sees and hears to the NYPD.

6. City laws and policies promoting trust between the NYPD and the public are instrumental in improving public safety and maintaining the historically low crime rates the City now enjoys. The NYPD cannot successfully cultivate relationships with residents, particularly those in immigrant communities, if residents believe the NYPD is an arm of Immigration and

Customs Enforcement (“ICE”). Residents, particularly those in immigrant communities, may retreat into the shadows if they believe that the NYPD has a policy or practice of generally sharing identifying information about them or their family members with ICE or other federal immigration authorities.

7. As a result of the NYPD’s efforts to educate the public on its policies towards the non-citizen population, Department officials have been able to engage more frequently with immigrant advocacy organizations. Over the last two years, a number of Department representatives have been invited to participate in and present at community events, meetings, and symposia on the topic of immigration and local law enforcement. These have served as valuable opportunities for Department personnel to gain insight into the issues and concerns that this community faces. This makes the NYPD more effective and, as a result, the City is a safer place.

8. As a general matter, the NYPD protects confidential and identifying information, such as a person’s status as a victim of domestic violence, sexual orientation and immigration status. This promotes trust between the NYPD and the public. The NYPD does not ask residents about their immigration status, unless investigating the resident for committing a crime. We do not need to know a person’s immigration status to investigate and solve a crime the person reports, witnesses, or about which the person possesses information. We do not investigate federal crimes penalizing illegal entry or reentry into the country.

9. In my 31 years of service with the NYPD, I have spoken with many crime victims and their families, witnesses, and fellow officers. It has been my personal experience that it is helpful to policing when community members feel their confidentiality is protected. Confidentiality promotes cooperation between the community and the police. The ability to reassure members of the public that their personal information will not be compromised because of the City’s laws and policies is invaluable – and in my experience, very effective.

10. I believe the whole City benefits when City residents, regardless of their immigration status or other personal attributes, step forward and report to the police when they

have been a victim of a crime or witnessed a crime. These reports – whether made to tip lines, precincts or police officers - can lead to arrests and getting dangerous people off the street.

11. While NYPD cooperates with federal agencies in many areas, including in ensuring that persons the City believes are dangerous are turned over to ICE in appropriate circumstances, I believe that immigrant communities understand that the NYPD acts in accordance with its own policies and local laws and not as an agent of federal enforcement. That understanding is one of the basis for the trust built up over decades between immigrant communities and the NYPD.

I declare under penalty of perjury under the laws of the State of New York and the United States that the foregoing is true and correct and that this declaration was executed on August 15, 2018, in New York, New York.

Assistant Chief King Rapt